HIGH COURT OF JUDICATURE AT BILASPUR : CHHATTISGARH

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ.

WRIT PETITION NO. 5781 OF 2005.

PETITIONER

Hemant Singh Thakur
Aged about 35 years
S/o Ramu Singh Thakur
R/o Beside Hanuman Mandir
Budheshwar Chowk,
Budhapara, Raipur, Tahsil
and District Raipur (C.G.)

Versus

RESPONDENTS

1. State of Chhattisgarh
   Through The Secretary
   Department of Urban Administration
   D.K.S. Bhawan, Raipur (C.G.)
2. The Secretary
   Department of Revenue
   D.K.S. Bhawan, Raipur (C.G.)
3. Municipal Corporation
   Raipur (C.G.)
4. Additional District Magistrate,
   Raipur 9C.G.)
5. Nazul Officer,
   Raipur (C.G.)

Present : Shri. Raghavendra Pradhan, learned counsel for the petitioner.
Shri Sanjay S. Agrawal, learned G.A. for the State.
Shri H.B. Agrawal, learned Sr. Advocate with Ms. Shipra Biswas, learned counsel for respondent No. 3.

ORAL ORDER

(Passed on 23rd February 2006.)

The case of the petitioner is that the land admeasuring 400 sq. ft. comprised in plot No.3 in Block No.69 has been leased to the petitioner by the Government for 30 years vide an instrument dated 16.08.1998. It is alleged that the officers of the Municipal Corporation, Raipur on 01.05.2005, without any notice or opportunity of hearing, demolished Kabalu Posh constructed by the petitioner without any authority. So

alleging, the petitioner has filed this writ petition for intervention of the Court.

(2) Shri H.B. Agrawal, learned Sr. Advocate appearing for the Municipal Corporation on instructions submitted that the Corporation would not interfere with the possession of the above property leased to the petitioner by the Government without recourse to law. The learned counsel appearing for the petitioner, in view of the above undertaking given to the Court on behalf of the Corporation, would request the Court to dispose of the writ petition in terms of the above undertaking. The writ petition is accordingly disposed of in terms of the above under relief. No costs.

Sd/-
Chief Justice

Brajesh